

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CINCINNATI INSURANCE CO., : No. 1:02-CV-00521  
Plaintiff, :  
vs. : PRELIMINARY PRETRIAL ORDER  
NATIONAL AERONAUTICS AND :  
SPACE ADMINISTRATION, et al., :  
Defendants. :

A preliminary pretrial conference in this matter was held on the 23<sup>rd</sup> day of September, 2003, before The Honorable S. Arthur Spiegel, United States Senior District Judge for the Southern District of Ohio.

In attendance: For plaintiff: Lee M. Brewer, Esq. (by telephone)  
Alber Crafton  
For defendants: Gerald F. Kaminski, AUSA  
Ronald P. Friedberg, Esq. (by telephone)  
Meyers, Roman, Friedberg & Lewis  
Thomas E. Zimmer (by telephone)  
pro se

**I**  
**PROCEEDINGS FOR TRIAL**

This matter will proceed to trial as follows:

- (A) Any dispositive motions will be filed by March 1, 2004. Motions must be filed by this date, and any motions filed after this date may be subject to a motion to strike. Parties are referred to Local Rule 7.2, which restricts letters to the Court. Correspondence with the Court should be by motion, except as expressly permitted by the Rule.
- (B) Discovery will be completed by February 1, 2004. All matters relating to discovery will be referred to the United States Magistrate Judge to whom the case has been assigned.

- (C) A final pretrial conference has been tentatively scheduled for May 27, 2004, at 10:00 A.M.
- (D) Trial has been tentatively scheduled for June 22, 2004, on an on-deck basis. On-deck trials will be released late Thursday afternoon the week before the scheduled trial date.
- (E) This is expected to be a two-day jury trial.
- (F) Any proposed jury instructions, jury interrogatories, and/or special verdict forms are to be submitted at least three (3) business days before the trial date and must cite to all sources used. In addition, the Court requests that the parties submit such documents to the Chambers on a computer disc that is compatible with WordPerfect version 8.0 or 10.0.
- (G) Exhibits are to be submitted at least ten days prior to trial.
- (H) Any motions or entries for extensions of time must recite the final pretrial date and trial date.

## **II ORDERING OF TRANSCRIPTS**

Any request for daily copy of a trial should be made to Mary Ann Ranz, the Judge's Court Reporter, at the time of the final pretrial conference. Under no circumstances will the Judge allow a daily transcript or an over-night transcript if daily copy is not arranged in advance of trial.

## **III STATUS REPORTS**

It will not be necessary for counsel to advise the Court in writing on the status of this case.

## **IV ADDITIONAL CONFERENCES**

If the need for the Court's assistance arises, counsel may make a joint appointment for additional conferences.

**V**  
**TRANSFERRAL**

In accordance with Western Division Rule No. 1 and Rule 53, Federal Rules of Civil Procedure, this matter may be transferred to the United States Magistrate Judge for disposition or for him to serve as Master.

SO ORDERED.

Date: September 25, 2003

s/S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge